



09 AUG 2002

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New York, NY 10112-0228

In re Application of
Hiscott, John *et al*
U.S. Application No.: 09/647,965
PCT No.: PCT/CA99/00314
Int. Filing Date: 07 April 1999
Priority Date: 07 April 1998
Attorney Docket No.: A33606-PCT U
For: HIGHLY ACTIVE FORMS OF
INTERFERON REGULATORY FACTOR
PROTEINS

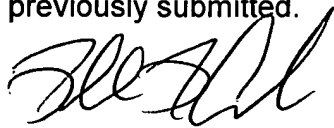
**RESPONSE TO REQUEST FOR
REFUND**

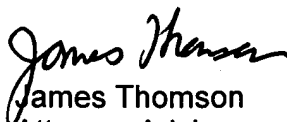
This communication is in response to applicants' "Request for Refund" filed on 25 July 2002 requesting that the \$945.00 fee for a five-month extension of time be credited to Deposit Account No. 02-3477. Applicants' request has been **GRANTED**.

A review of the above-identified international application reveals that a Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (Form PCT/DO/EO/905) was mailed 20 November 2000 which indicated that a Sequence Listing was submitted to the DO/EO/US.

On 09 April 2001, the DO/EO/US mailed a Notification to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (Form PCT/DO/EO/920) stating that the above-captioned application failed to comply with the requirements of 37 CFR 1.821-1.825. The Form PCT/DO/EO/920 is supposed to be accompanied by a Form PCT/DO/EO/905 so no time limit to respond is noted on this form.

That did not occur in this case because a Form PCT/DO/EO/905 was previously mailed erroneously recording that a Sequence Listing was submitted by applicant. Accordingly, counsel's Deposit Account No. 02-3477 will be credited the \$945.00 extension fee previously submitted.


Richard Cole
PCT Legal Examiner
PCT Legal Office


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Attorney Advisor
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945.00 00

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945.00 00

Draft Petition Decision

Serial No. 09/647,965

Date of Draft 7-30

Legal Examiner Thomson

Conferee Approval _____

Petitions Book Nos. _____

Petition Log Book No. _____

PALM Petition Code _____

☒ Credit
Charge Account No. 02-3477

Fee <u>\$ 945⁰⁰</u>	Code <u>228</u>
Fee _____	Code _____
Fee _____	Code _____
Fee _____	Code _____

Granted ☒ _____

Dismissed _____

Dismissed with Recommendation _____